

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

GREGG STEELE,

Petitioner,

v.

No. 24-cv-1238-JCH-KBM

ATTORNEY GENERAL OF  
THE STATE OF NEW MEXICO, *et al*,

Respondents.

**ORDER TO ANSWER**

This matter is before the Court on Petitioner Gregg Steele's 28 U.S.C. § 2254 Amended Habeas Corpus Petition (Doc. 2) (Amended Petition). Also before the Court is his Motion to Proceed *In Forma Pauperis* (Doc. 3) (IFP Motion). Steele challenges his state murder convictions based on, inter alia, ineffective assistance by counsel. Having reviewed the Amended Petition pursuant to Habeas Corpus Rule 4, the Court must resolve the claims on a full record. The Court will also grant Steele's IFP Motion, to the extent he seeks court-supplied service, but deny relief with respect to the payment requirement. Steele paid the fee on May 15, 2025. *See* Doc. 5.

**IT IS ORDERED** that Steele's Motion to Proceed *In Forma Pauperis* (**Doc. 3**) is **GRANTED, in part**, as set forth above.

**IT IS FURTHER ORDERED** that the Clerk shall mail copies of this Order and the Amended Petition (**Doc. 2**) to Respondent Attorney General of the State of New Mexico (AG) at the following address:

Attn: Federal Habeas Attorney(s)  
New Mexico Department of Justice (formerly known as the Attorney General's Office)  
Criminal Appeals Division  
201 Third St. NW, Suite 300, Albuquerque, NM 87102

**IT IS FURTHER ORDERED** that the AG must answer the Petition within **45 days** of entry of this Order. The answer must address the merits of each claim. If the Petition is mixed, such that it contains both exhausted and unexhausted claims, the AG shall take a position on how to proceed (*i.e.*, stay the proceeding, dismiss the unexhausted claims, overlook the defect and deny the claim(s) on the merits, etc.). The AG must attach to its answer copies of all pertinent filings from the state trial court, the state court of appeals, and the state supreme court; including memoranda filed by both parties. The AG must also attach to the answer copies of all state post-conviction or appellate proceedings and any transcripts that are needed to resolve the claims. **Any transcripts must be written; the Court will not accept audio recordings in lieu of a written transcript.**

**IT IS FINALLY ORDERED** that if Steele wishes to file an optional reply, he must do so within **30 days** after the AG's response is filed.

  
UNITED STATES MAGISTRATE JUDGE